IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In the Matter of the Complaint of)
Tamara Sopka, Independent)
Administrator of the Estate of) Civil No. 15-cv-03230
Orest Sopka, Deceased, and Axess)
Holding Company, LLC as Owners of a)
2012 Rinker 310 Express motor vessel) Judge Milton I. Shadur
"AXESS", for Exoneration from or)
Limitation of Liability)

JOINT STIPULATION BY CLAIMANTS

NOW COME Claimants Skyway Yacht Works, LLC, Creative Yacht Management, Inc. d/b/a Sailtime Chicago, Shai Wolkowicki, Sharon Haws, Independent Administrator of the Estate of Ashley Haws, Deceased, and Peggy M. Blenner, Independent Administrator of the Estate of Megan Blenner, Deceased, (collectively, the "Claimants"), by their respective attorneys, and hereby agree to the following stipulations:

- 1. The Claimants stipulate and agree that The United States District Court for the Northern District of Illinois, Eastern Division has exclusive jurisdiction over all limitation of liability issues pursuant to 46 U.S.C. § 30501 *et seq.*, which arose out of the incident which occurred on May 31, 2014 involving the 2012 Rinker 310 Express motor vessel "AXESS";
- 2. The Claimants stipulate and agree that Petitioners, Tamara Sopka, Independent Administrator of the Estate of Orest Sopka, Deceased, and Axess Holding Company, LLC are entitled to and have the right to litigate all issues relating to limitation of liability in this action pursuant to 46 U.S.C. § 30501 et seq.;

Case: 1:15-cv-03230 Document #: 60 Filed: 12/02/15 Page 2 of 4 PageID #:513

3. The Claimants stipulate and agree to waive any claim of res judicata respecting

any limitation of liability/ damages issues as to Petitioners that might arise in the event of an

entry of judgment in any state court or other proceeding based upon the facts of the above

mentioned incident; and

4. Claimants stipulate and agree that should a judgment be obtained in any state

court or other proceeding on behalf of any of the Claimants, and should this United States

District Court for the Northern District of Illinois, Eastern Division determine that limitation of

liability is appropriate as to Tamara Sopka, Independent Administrator of the Estate of Orest

Sopka, Deceased and Axess Holding Company, LLC, then Claimants will only seek their

respective pro-rata proportional share of the limitation fund as measured by Claimant's

respective allotments of any judgment obtained in the state court or other proceedings.

Claimants will in no event seek any amount beyond the value of the limitation fund set forth in

Judge Shadur's May 26, 2015 Order, if it is determined that Petitioners are entitled to limit

liability. Nothing within this paragraph should be construed as a waiver of any of the

Respondents' rights to appeal this court's final decision with respect to exoneration/limitation.

AGREEMENT OF COUNSEL:

By: /s/Dennis Minichello

Dennis Minichello

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Attorneys for Skyway Yacht Works, LLC

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By: /s/Curt J. Schlom

Curt J. Schlom

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- 2 -

By: /s/ Kenneth Hoffman Kenneth Hoffman MITCHELL HOFFMAN & WOLF LLC Attorneys for Shai Wolkowicki 221 North LaSalle, Suite 1148 Chicago, Illinois 60601 (312) 726-6722

By: /s/Kevin P. Durkin Kevin P. Durkin CLIFFORD LAW OFFICES, P.C. Attorneys for Peggy M. Blenner, Megan Blenner, Deceased 120 N. LaSalle Street, 31st Floor Chicago, Illinois 60602 (312) 899-9090

By: /s/ Timothy J. Mahoney Timothy J. Mahoney ROLEWICK & GUTZKE, P.C. Attorneys for Sharon Haws, Independent Administrator of the Estate of Ashley Haws, Deceased 1776 S. Naperville Road, Suite 104A Wheaton, Illinois 60189 (630) 653-1577

By: /s/ James E. Mercante James E. Mercante Rubin, Fiorella & Friedman LLP Attorneys for Tamara Sopka, Independent Administrator of the Estate of Orest Sopka, Deceased, and Axess Holding Company, LLC 630 Third Avenue, 3rd Floor New York, New York 10017 (212) 953-2381

Dated: December 1, 2015

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Limitation of Liability)	

CERTIFICATE OF SERVICE

I hereby certify that I have served this notice and the attached document by electronic means via CM/ECF to all attorneys of record for all parties on this 2th day of December, 2015.

Rutkowski Law Group P.C.

/s/Anthony R. Rutkowski
Attorney for Petitioners
Tamara Sopka, Independent
Administrator of the Estate of Orest Sopka,
Deceased and Axess Holding Company LLC as
Owners of a 2012 Rinker 310 Express motor vessel
"AXESS"